THE MADRAS LEGISLATIVE COUNCIL.

Wednesday, 30th December 1953.

The House met in the Council Chamber, Fort St. George, at eleven of the clock, Mr. Chairman (THE HON. DR. P. V. CHERIAN) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Number of conspiracy cases withdrawn by the Government.

* 21 *Q.*—SRI M. K. M. ABDUL SALAM: Will the Hon. the Chief Minister be pleased to state—

(*a*) the number of conspiracy cases that have been withdrawn by the Government from 1st April 1952 to 30th September 1953;

(*b*) the grounds on which they have been withdrawn; and

(*c*) the total amount of money spent on those cases?

THE HON. SRI C. RAJAGOPALACHARI :—" (*a*) Four.

" (*b*) In view of the present attitude of the political group to which most of these accused owe allegiance and inasmuch as they are not now resorting to violence but are concentrating on work in the Legislature and on agitation in the press and platform, Government felt that it was desirable to show clemency and encourage them to adhere to a peaceful policy and ordered withdrawal of the conspiracy cases referred to in clause (*a*) above.

" (*c*) The total expenditure incurred by the Government in connexion with these conspiracy cases is nearly Rs. 37,000."

SRI M. K. M. ABDUL SALAM :—" Is there any proposal to withdraw the appeal preferred against the conviction of the followers of the Dravida Munnetra Kazhagam, in view of the fact that there is a big agitation from the public in this regard? "

THE HON. SRI C. RAJAGOPALACHARI :—" Sir, I have given the utmost consideration which led to the withdrawal of the cases referred to by me. I do not think the consideration now proposed, namely, public agitation, should be taken into account in matters of crime."

SRI S. B. ADITYAN :—" May I know from the Hon. the Chief Minister, in view of the very good reasons he had stated in his answer for the release of prisoners, whether the Government will also release those prisoners who have been convicted in the conspiracy case and who are now still in prison? "

THE HON. SRI C. RAJAGOPALACHARI :—" If the reference in the supplementary question is to persons who have been convicted in the conspiracy case involving grave crimes, I submit, Sir, that the position does not stand alike."

SRI V. CHAKKARAI CHETTY :—" I would like to know from the Hon. the Chief Minister as to what exactly was the nature of the conspiracy? Was it to subvert this Government or any particular Minister or was it an attack on the Government as a whole or against some Ministers, because from the answer given by the Hon. the Chief Minister it appears that the cases involved in the conspiracy are not of the same type?"

THE HON. SRI C. RAJAGOPALACHARI :—" I do not know which conspiracy the hon. Member Sri Chakkarai Chettiar refers to. If he is referring to the conspiracy involved in the case that I had just referred to, that conspiracy was to commit grave and serious crimes involving violence and was simply politics."

SRI V. GURUNANDAN ROW :—" May I ask the Hon. the Chief Minister whether there were not cases of conspiracy involving graver crimes than this wherein the sentences have been commuted by the Government?"

THE HON. SRI C. RAJAGOPALACHARI :—" There are reasons for commutation and when there are sufficient reasons for commutation, such commutation is done by the Government."

SRI S. B. ADITYAN :—" Coming to a particular case, viz.. the Tirunelveli Conspiracy case, wherein Baladhandayutham and others were recently convicted, would the Government reduce their sentences or reconsider their case in view of the policy now enunciated by the Hon. the Chief Minister?"

THE HON. SRI C. RAJAGOPALACHARI :—" With reference to the case just now mentioned, which was concluded the other day, the prisoners concerned began to resort to hunger-strike for the purpose of getting their release. The Government could not tolerate prisoners going on fasts with the definite object of forcing the Government to release them from undergoing the punishment imposed on them after a full trial. The particular case just referred to involved a very bad type of murder. A person who left their party was hacked to pieces and the members of the body were distributed in several places. I need not go further into the details. They took over the function of the State. They held a trial and disposed of their enemy in that manner. This is a very serious case. Anyway we cannot go into the merits of the case. They have been convicted and there is no appeal and they are undergoing their sentences and when the time comes, Government will not be too harsh but will examine even such cases."

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SRI V. GURUNANDAN ROW :—" Does the Hon. the Chief Minister know that the hunger-strike of the prisoners just now mentioned was resorted to not for release but only for release on bail? "

THE HON. SRI C. RAJAGOPALACHARI :—" No, Sir, it was definitely for release altogether. I wish it were only for release on bail as stated. But there is no question of release on bail after conviction, when there is no appeal."

SRI MOHAMAD RAZA KHAN :—" May I know who is responsible for effecting this radical change over these people who have left violence altogether and have taken to constitutional agitation either outside or within the Legislatures? Who has brought about this magical change, Sir, in their minds? "

THE HON. SRI C. RAJAGOPALACHARI :—" I think the hon. Gentleman Mr. Gurunandan Row was making a mistake confusing some other hunger-strike of some prisoners with the present one. The prisoners involved in the present case went on a hunger-strike after refusing to appeal against their conviction and for total release. I am glad to say that they have given it up under the advice of their party leaders. But as regards Balathandayutham I cannot say anything definitely. I have no information on hand whether he had accepted the advice of his party or not. I wish he accept his party's advice. It is possible.

As regards the supplementary question as to what had been responsible for the change in the party's attitude, I think experience and wisdom come to ordinary human beings in course of time in every case."

Allotment of non-Andhra personnel to Andhra State.

* 22 *Q.*—SRI A. GAJAPATHY NAYAGAR : Will the Hon. the Chief Minister be pleased to state whether the Government propose to follow any principle of age group among the non-Andhra personnel to be allotted to the Andhra State?

THE HON. SRI C. RAJAGOPALACHARI :—" The allocation of officers to the Andhra State was made in accordance with the policy which was endorsed by both the Houses of the Legislature of the composite State. Non-Andhras were taken only to the extent that was considered unavoidable by the Special Officer for Andhra affairs and his Committee consisting of three Andhra leaders. The question of taking Non-Andhra officers in different age groups did not, therefore, generally arise. In regard to the All-India Services, however, an attempt was made to take, as far as possible, officers at different levels of seniority."

DR. A. LAKSHMANASWAMI MUDALIYAR :—" May I know, Sir, whether there was any similar arrangement between the residuary Madras State and Mysore State with regard to transfer of personnel to either State? For instance, taking Bellary district,